

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRUCE L. WISHNEFSKY, )  
                          )  
Plaintiff,           ) Civil Action No. 08-128J  
                          )  
v.                     ) District Judge Kim R. Gibson  
                          )  
JAWAD A. SALAMEH, )  
                          )  
Defendant.           )

**MEMORANDUM ORDER**

The above captioned case was initiated by the filing of a Civil Rights Complaint on June 3, 2008, and was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on January 11, 2011 (ECF. No. 71), recommending that Defendant's Motion for Summary Judgment (ECF No. 54) be granted and that Plaintiff's Motion for Summary Judgment (ECF No. 57) be denied. Plaintiff filed Objections to the Report and Recommendation on January 27, 2011 (ECF No. 72). The objections do not undermine the determination set forth in the Report and Recommendation.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

**AND NOW, this 1<sup>st</sup> day of February, 2011;**

**IT IS HEREBY ORDERED** that the Motion for Summary Judgment filed by Defendant Jawad A. Salameh (ECF No. 54) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment (ECF No. 57) is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 71) is adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

By the Court:



Kim R. Gibson

Kim R. Gibson  
United States District Judge

cc: Bruce L. Wishnefsky  
DQ-4829  
SCI-Laurel Highlands  
5706 Glades Pike  
Somerset, PA 15501